

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JAMES CHAVEZ,

Petitioner,

vs.

ATTORNEY GENERAL OF THE STATE
OF NEVADA,

Respondent.

3: 10-CV-0268 -00268-ECR-VPC

ORDER

Petitioner has submitted a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, but he has failed to simultaneously submit either a motion for leave to proceed *in forma pauperis* or payment of the \$5.00 filing fee. Petitioner shall be sent a motion for leave to proceed *in forma pauperis* form, should he wish to apply for pauper status, and alternatively given an opportunity to pay the requisite filing fee.

IT IS THEREFORE ORDERED that the Clerk shall send to petitioner a new motion for leave to proceed *in forma pauperis* form and instructions therefor. Petitioner shall have **thirty (30) days** from the date of entry of this order within which to file a motion for leave to proceed *in forma pauperis*. Alternatively, petitioner shall have **thirty (30) days** from the date of entry of this order within which to have prison officials deduct from his prison account and send to the Clerk of Court the full \$5.00 filing fee. Failure to do so may result in the dismissal of this action.

DATED this 5th day of May, 2010.



UNITED STATES DISTRICT JUDGE